

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM

Section 4, El Rito

MOTION FOR EXTENSION OF TIME

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (State), and respectfully requests the Court to grant an extension of time for the State to take a position on the Motion for Declaration of Water Allocation Customs filed by the El Rito Ditch Association (Docket No. 8629). In support of this motion Plaintiff states:

1. The State and El Rito Ditch Association have continued to discuss the issues raised by the Motion for Declaration of Water Allocation Customs in El Rito (“Motion”), and the State is reasonably optimistic that the State and the Ditch Association can reach an agreement on the issues raised in the Motion. Peter Thomas White, on behalf of Defendant Roberta Orona-Cordova, has recently entered a limited appearance in these proceedings in order to file a response in opposition to the Motion (Docket No. 9073). The State wishes to include counsel for Orona-Cordova in further discussions with the Ditch Association prior to any party filing a response to Motion, or for the State to take a formal position on the Motion. Counsel for the State, the Ditch Association, and Defendant

Orona-Cordova agree that an extension of time is warranted to allow the parties to further discuss the issues raised in the Motion.

3. The State requests an extension of time until April 30, 2008 for the State to take a position on the Motion, or for any party to file a response to the Motion.

4. Counsel for Defendant Roberta Orona-Cordova concurs and supports the granting of this motion.

5. Counsel for the El Rito Ditch Association does not oppose the granting of this motion.

WHEREFORE the Plaintiff State of New Mexico respectfully requests the Court to grant an extension of time until April 30, 2008, for the State to take a position on the Motion for Declaration of Water Allocation Customs filed by the El Rito Ditch Association (Docket No. 8629), or for any party to file a response to that motion.

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28th day of January, 2008 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

/s/ Ed Newville
Edward G. Newville